

Robert A. Naeve (State Bar No. 106095)  
rnaeve@jonesday.com  
Cary D. Sullivan (State Bar No. 228527)  
carysullivan@jonesday.com  
JONES DAY  
3161 Michelson Drive, Suite 800  
Irvine, CA 92612.4408  
Telephone: +1.949.851.3939  
Facsimile: +1.949.553.7539

Nathaniel P. Garrett (State Bar No. 248211)  
ngarrett@jonesday.com  
JONES DAY  
555 California Street, 26th Floor  
San Francisco, CA 94104-1500  
Telephone: +1.415.626.3939  
Facsimile: +1.415.875.5700

Attorneys for Defendants  
TAMARAH HARBER-PICKENS, in her  
official capacity as Court Executive Officer /  
Clerk of the Superior Court of California,  
County of Kern; and HON. JUDITH K.  
DULCICH, in her official capacity as  
Presiding Judge of the Superior Court of  
California, County of Kern

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

**AMERICAN CIVIL LIBERTIES  
UNION OF SOUTHERN  
CALIFORNIA, et al.,**

**Plaintiffs,**

**v.**

**TAMARAH HARBER-PICKENS, et al.,**

**Defendants.**

**Case No. 1:20-cv-00889-DAD-JLT**

**STIPULATION AND ~~PROPOSED~~  
ORDER TO EXTEND COURT  
DEFENDANTS' RESPONSIVE  
PLEADING DEADLINE AND THE  
PARTIES' DEADLINE TO FILE JOINT  
SCHEDULING REPORT**

(Doc. 27)

1 Defendants Tamarah Harber-Pickens, in her official capacity as Court Executive Officer /  
2 Clerk of the Superior Court of California, County of Kern, and Hon. Judith K. Dulcich, in her  
3 official capacity as Presiding Judge of the Superior Court of California, County of Kern  
4 (collectively “KCSC”), and Plaintiffs American Civil Liberties Union of Southern California,  
5 First Amendment Coalition, Kilah Oats, Lotisha Davidson, Tanisha Brown, Tameca Spriggs, and  
6 Janie Randle hereby stipulate to 1) extend KCSC’s deadline to file a responsive pleading until  
7 November 3, 2020; and 2) extend the parties’ deadline to file a joint scheduling report until  
8 November 3, 2020.

9 1. On June 26, 2020, the Court set a Mandatory Scheduling Conference in this matter  
10 for September 22, 2020. (Dkt. No. 3.)

11 2. On July 14, 2020, counsel for KCSC executed and Plaintiffs filed a Waiver of the  
12 Service of Summons, which set KCSC’s deadline to file a responsive pleading in this matter at 60  
13 days from July 14, 2020 – or September 14, 2020. (Dkt. No. 19.)

14 3. On September 8, 2020, upon the parties’ stipulation, the Court ordered: 1) a  
15 continuance of the Mandatory Scheduling Conference until October 20, 2020; 2) a similar  
16 continuance of the parties’ respective Rule 26 obligations; and 3) an extension of the deadline for  
17 the defendants to file a responsive pleading until October 20, 2020. (Dkt. No. 25.)

18 4. On October 15, 2020, the Court vacated the Mandatory Scheduling Conference set  
19 for October 20, 2020, and ordered the parties to submit a joint scheduling report by October 21,  
20 2020. (Dkt. No. 26.)

21 5. KCSC recently completed installation of live audio streaming services in all active  
22 courtrooms in the Superior Court of California, County of Kern such that it can balance the need  
23 to maintain physical distancing in light of the COVID-19 pandemic with the public right of access  
24 to court proceedings.

25 6. Pursuant to a Standing Order re Access to Court Proceedings During The COVID-  
26 19 Pandemic And Availability Of Audio Live Streaming, effective October 1, 2020, Presiding  
27 Judge Dulcich announced the availability of live audio streaming for all active courtrooms in the  
28 Superior Court of California, County of Kern.

7. Now that live audio streaming is available for all active courtrooms in the Superior Court of California, County of Kern, the parties believe their time and efforts are best served by working to resolve this matter amicably, rather than preparing for litigation and trial. The parties further believe these proposed extensions will give them sufficient time in which to do so.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the Court's approval, as follows:

1. KCSC's deadline to file a responsive pleading shall be extended to November 3, 2020; and

2. The parties' deadline to file a joint scheduling report shall be extended to November 3, 2020;

**IT IS SO STIPULATED.**

Dated: October 16, 2020

JONES DAY

/s/ Robert A. Naeve

Robert A. Naeve

Cary D. Sullivan

Nathaniel P. Garrett

Attorneys for Defendants

TAMARAH HARBER-PICKENS, in her official capacity as Court Executive Officer of the Superior Court of California, County of Kern; and HON. JUDITH K. DULCICH, in her official capacity as Presiding Judge of the Superior Court of California, County of Kern

Dated: October 16, 2020

ACLU FOUNDATION OF NORTHERN CALIFORNIA

/s/ Kathleen Guneratne (as authorized on 10/16/2020)

Kathleen Guneratne

Amy Gilbert

Attorneys for Plaintiffs

ACLU OF SOUTHERN CALIFORNIA, KILAH OATS, LOTISHA DAVIDSON, TANISHA BROWN, TAMECA SPRIGGS, and JANIE RANDLE

1  
2 Dated: October 16, 2020

AMERICAN CIVIL LIBERTIES UNION  
OF SOUTHERN CALIFORNIA

3 /s/ Peter Eliasberg (as authorized on  
4 10/16/2020)

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Peter Eliasberg  
Jordan Wells

6 Attorneys for Plaintiffs  
7 ACLU OF SOUTHERN CALIFORNIA,  
8 KILAH OATS, LOTISHA DAVIDSON,  
TANISHA BROWN, TAMECA  
SPRIGGS, and JANIE RANDLE

9 Dated: October 16, 2020

FIRST AMENDMENT COALITION

10 /s/ David Edward Snyder (as authorized on  
11 10/16/2020)

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David Edward Snyder

13 Attorneys for Plaintiff  
14 FIRST AMENDMENT COALITION  
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**PROPOSED ORDER**

Based upon the parties' stipulation, and for good cause shown, the Court **ORDERS**:

1. KCSC's deadline to file a responsive pleading shall be extended to November 3, 2020; and
2. The parties' deadline to file a joint scheduling report shall be extended to November 3, 2020;
3. The mandatory scheduling conference is set on November 10, 2020 at 8:30 a.m.

IT IS SO ORDERED.

Dated: **October 16, 2020**

**/s/ Jennifer L. Thurston**  
UNITED STATES MAGISTRATE JUDGE